

# REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, January 11, 2012, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Justin Pitt. Attending the meeting were board members Henry Fincher, Patricia Heim, Darlene McNeece and Lee Anne Murray.

## *Election of Officers*

A motion was made by Heim, seconded by Fincher, to name Justin Pitt as chairperson. A motion was made by Heim, seconded by Murray, to name Henry Fincher as secretary for 2012 by acclamation.

## *Approval of Meeting Minutes*

On motion by Heim, seconded by McNeece, the board voted unanimously to amend the minutes from the November 9, 2011 regular board meeting to accurately reflect a motion made in the matter of Duane Dominy. The motion to approve the minutes, as amended, for the November 9, 2011 meeting passed the board unanimously.

## *Show Cause Hearing*

**11-65 Matt Kenigson**, for failure to maintain campaign records on his 2010 3<sup>rd</sup> quarter campaign financial disclosure report. Class two (2), maximum ten thousand (\$10,000) civil penalty. Mr. Kenigson has had a previous matter before the board.

The board voted at its October 12, 2011 meeting to issue Mr. Kenigson a show cause notice.

The board voted at its November 9, 2011 meeting to delay any further action in this matter until the next regularly scheduled meeting to allow Gerard Stranch, representative for Mr. Kenigson, an opportunity to prepare and personally appear before the board.

Gerard Stranch and Mr. Kenigson personally appeared before the board and requested that the board delay any action in this matter until the next regularly scheduled meeting to allow them further opportunity to gather campaign records and correct his campaign financial disclosure reports.

On motion by Heim, seconded by Fincher, the board voted unanimously to defer any action in this matter until the next regularly scheduled meeting to allow Mr. Kenigson further opportunity to gather campaign records and correct his campaign financial disclosure reports.

## ***Requests for Reconsideration***

***10-47 Pamela Dean***, for failure to file a 2010 2<sup>nd</sup> quarter campaign financial disclosure report with the Tipton County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Dean has had previous matters before the board. (see below)

The board voted at its October 13, 2010 meeting to issue Ms. Dean a show cause notice.

The board voted at its January 12, 2011 meeting to assess Ms. Dean a \$10,000 civil penalty. Ms. Dean requested a reconsideration of the civil penalty assessment.

Ms. Dean filed the required report and submitted a statement for the board's consideration.

On motion by Heim, seconded by Murray, the board voted unanimously to combine Case Nos. 10-47, 10-48 and 11-10 and reconsider the civil penalty assessments which total \$30,000. On motion by Heim, seconded by McNeece, the board voted unanimously to combine Case Nos. 10-47, 10-48 and 11-10 and assess Ms. Dean a \$250 civil penalty.

***10-48 Pamela Dean***, for failure to file a 2010 pre-general campaign financial disclosure report with the Tipton County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Dean has had previous matters before the board. (see above and see below)

The board voted at its October 13, 2010 meeting to issue Ms. Dean a show cause notice.

The board voted at its January 12, 2011 meeting to assess Ms. Dean a \$10,000 civil penalty. Ms. Dean requested a reconsideration of the civil penalty assessment.

Ms. Dean filed the required report and submitted a statement for the board's consideration.

On motion by Heim, seconded by Murray, the board voted unanimously to combine Case Nos. 10-47, 10-48 and 11-10 and reconsider the civil penalty assessments which total \$30,000. On motion by Heim, seconded by McNeece, the board voted unanimously to combine Case Nos. 10-47, 10-48 and 11-10 and assess Ms. Dean a \$250 civil penalty.

***11-10 Pamela Dean***, for failure to file a 2010 3<sup>rd</sup> quarter campaign financial disclosure report with the Tipton County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Dean has had previous matters before the board. (see above)

The board voted at its January 12, 2011 meeting to issue Ms. Dean a show cause notice.

The board voted at its March 9, 2011 meeting to assess Ms. Dean a \$10,000 civil penalty. Ms. Dean requested a reconsideration of the civil penalty assessment.

Ms. Dean filed the required report and submitted a statement for the board's consideration.

On motion by Heim, seconded by Murray, the board voted unanimously to combine Case Nos. 10-47, 10-48 and 11-10 and reconsider the civil penalty assessments

which total \$30,000. On motion by Heim, seconded by McNeece, the board voted unanimously to combine Case Nos. 10-47, 10-48 and 11-10 and assess Ms. Dean a \$250 civil penalty.

### ***Statement Submitted***

***11-51 Bryan Bondurant***, for failure to file a 2011 2<sup>nd</sup> quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Bondurant has had a previous matter before the board.

The board voted at its October 12, 2011 meeting to issue Mr. Bondurant a show cause notice.

Mr. Bondurant filed the required report and submitted a sworn statement for the board's consideration.

On motion by Heim, seconded by Murray, the board voted unanimously to take no further action in this matter.

### ***Cases Subject to Approval of Civil Penalty Order***

***11-55 Artie Smith***, for failure to file a 2011 1<sup>st</sup> quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Smith has had a previous matter before the board.

The board voted at its October 12, 2011 meeting to issue Mr. Smith a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Fincher, seconded by Heim, the board voted unanimously to assess Mr. Smith a \$10,000 civil penalty.

***11-56 William Steakley***, for failure to file a 2011 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Steakley has had previous matters before the board.

The board voted at its October 12, 2011 meeting to issue Mr. Steakley a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Heim, seconded by Fincher, the board voted unanimously to assess Mr. Steakley a \$10,000 civil penalty.

***11-57 Steven Turner***, for failure to file a 2011 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Turner has had no previous matters before the board.

The board voted at its October 12, 2011 meeting to issue Mr. Turner a show cause notice.

Mr. Turner personally appeared before the board and explained his failure to file the required report. The board voted at its November 9, 2011 meeting to defer any

further action in this matter until the next regularly scheduled meeting to allow Mr. Turner an opportunity to file the required report.

Director Rawlins informed the board that there has been no further response from Mr. Turner and that the report still has not been filed.

On motion by Heim, seconded by McNeece, the board voted unanimously to assess Mr. Turner a \$10,000 civil penalty.

***11-59 Madison County Democratic Executive Committee***, for failure to file a 2011 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

The board voted at its October 12, 2011 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Heim, seconded by McNeece, the board voted unanimously to assess the organization a \$10,000 civil penalty.

### ***Cases Considered for Issuance of Show Cause Notice***

***Amy Broyles***, for failure to file a 2011 mid-year supplemental campaign financial disclosure report with the Knox County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Broyles has had a previous matter before the board.

On motion by Heim, seconded by Fincher, the board voted unanimously to issue a show cause notice.

***The Concerned Citizens of Columbia and Maury County***, for failure to timely file a 2011 pre-general campaign financial disclosure report with the Maury County Election Commission. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. The organization has had no previous matters before the board.

On motion by Heim, seconded by Fincher, the board voted unanimously to take no action.

### ***Audit Review***

#### ***Steven Turner***

Mr. Turner's 2009 year-end supplemental unitemized campaign finance audit with the included findings were provided to the board.

The board voted at its November 9, 2011 meeting to defer any further action in this matter until the next regularly scheduled meeting to allow Mr. Turner an opportunity to complete corrective actions on the audit findings.

Director Rawlins informed the board that Mr. Turner has completed corrective actions on the audit findings.

On motion by Fincher, seconded by Heim, the board voted unanimously to approve Mr. Turner's 2009 year-end supplemental unitemized campaign finance audit with the included findings. On motion by Heim, seconded by Fincher, the board voted unanimously to take no action in this matter.

***Bill Haslam***

On motion by Fincher, seconded by Heim, the board voted unanimously to approve Gov. Haslam's 2010 campaign finance audit with no findings.

***Janis Baird Sontany***

On motion by Fincher, seconded by Heim, the board voted unanimously to approve Rep. Sontany's 2010 campaign finance audit with the included finding.

On motion by Fincher, seconded by Murray, the board voted unanimously to take no action in this matter.

***Ken Wilbur***

On motion by Heim, seconded by Fincher, the board voted unanimously to approve Mr. Wilbur's 2011 pre-general campaign finance audit with the included findings.

On motion by Heim, seconded by McNeece, the board voted unanimously to take no action in this matter.

***Executive Director's Report***

- Director Rawlins provided the board with information forwarded by the Davidson County Election Commission concerning inconsistencies in fundraising documents and campaign financial disclosure reports filed by the Davidson County Republican Party Candidate Fund PAC.

The board voted at its October 12, 2011 meeting to defer any action in this matter until the next regularly scheduled meeting to allow the Executive Director an opportunity to contact the organization and work with them to correct their campaign financial disclosure reports.

The board voted at its November 9, 2011 meeting to defer any action in this matter until the next regularly scheduled meeting to allow the organization more time to correct their campaign financial disclosure reports.

Director Rawlins informed the board that he met with the Davidson County Republican Party and that they are in the process of filing PAC reports for 2011. Director Rawlins further informed the board that the party understands that they will have to continue to file separate campaign financial disclosure reports from the Davidson County Republican Party Candidate Fund PAC.

- Director Rawlins informed the board that a letter has been sent to Rep. Joe Towns, Jr. concerning Case No. 10-06 in which he was assessed a \$35,000 civil

penalty. The letter informed him that the Registry received a payment of \$600 but that no further payments have been made. The letter further informed Rep. Towns that he is ineligible to qualify for election to state or local office if the entire civil penalty is not paid by the qualifying deadline.

### ***Other Business***

- Director Rawlins provided the board with information forwarded to the Registry by the Davidson County Election Commission concerning inconsistencies in a campaign financial disclosure report filed by the Friends of the Fairgrounds single-measure committee.

On motion by Murray, seconded by Fincher, the board voted unanimously to issue the organization a show cause notice for possible failure to report contributions.

- Without objection, the board voted unanimously to schedule the next board meeting for March 14, 2012.
- On motion by Heim, seconded by McNeece, the board voted unanimously to adjourn the meeting until the next regularly scheduled meeting.